

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 09-179V
(Not to be published)

DALIBOR HRADEK and
DEBBY HRADEK, parents
of F.H., a minor,

Petitioners,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES

Respondent.

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Filed: March 30, 2016

Autism; Decision on Attorneys'
Fees and Costs

DECISION (ATTORNEYS' FEES AND COSTS)

In this case under the National Vaccine Injury Compensation Program,¹ I issued a Decision on March 1, 2016. On March 29, 2016, Petitioners filed an Application for Attorneys' Fees and Costs, requesting a total payment of \$47,085.22, representing attorneys' fees and costs of \$45,379.52, and \$1,705.70 of costs expended by Petitioners. On March 29, 2016, Respondent contacted a member of my staff by e-mail to confirm that Respondent has no objection to this request.

I find that this Petition was filed and pursued in good faith and with a reasonable basis. Thus, an award for fees and costs is appropriate at this time, pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1). Further, the proposed amounts seem reasonable and appropriate. Accordingly, I hereby award the following attorneys' fees and costs pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1):

- a lump sum of \$45,379.52, in the form of a check payable jointly to Petitioners and Petitioners' counsel, Edward Kraus, on account of services performed by counsel's law firm.

¹ The applicable statutory provisions defining the program are found at 42 U.S.C. § 300aa-10 *et seq.* (2012).

- a lump sum of \$1,705.70, in the form of a check payable to Petitioners, which represents Petitioners' own litigation expenses in this case.

In the absence of a timely-filed motion for review filed pursuant to Appendix B of the Rules of the U.S. Court of Federal Claims, the clerk of the court shall enter judgment in accordance herewith.²

IT IS SO ORDERED

/s/ George L. Hastings, Jr.
George L. Hastings, Jr.
Special Master

² Pursuant to Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing the right to seek review.